

Deed - MTA to B.R.A.

The METROPOLITAN TRANSIT AUTHORITY, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, established under the provisions of Chapter 544 of the Acts of 1947, for consideration paid grants to the BOSTON REDEVELOPMENT AUTHORITY, a public body politic and corporate, duly organized and existing pursuant to the provisions of the Housing Authority law of said Commonwealth, being General Laws, Chapter 121, as amended, with Quitclaim Covenants, the following described parcels of land of the said Metropolitan Transit Authority, being adjacent to land of said Boston Redevelopment Authority located in the West End Redevelopment Project, so-called, in the City of Boston, bounded and described as follows:

FIRST PARCEL CONVEYED: (Lot 15)

Beginning at a point that is North $73^{\circ} 19' 25''$ West a distance of sixty-six and seventy-five hundredths (66.75) feet from a stone monument in the north-westerly line of Willard Street, formerly a public way of said City of Boston, said stone monument being about two hundred thirty-eight and forty hundredths (238.40) feet from the northeasterly side line of Leverett Street, as shown on plan of said West End Project, dated March 24, 1958, recorded in Suffolk Registry of Deeds, with an instrument of Taking, in Book 7306, page 363;

Thence running Southwesterly by Lots 1, 2 and 3 on said plan, forty and thirty hundredths (40.30) feet, to a point;

Thence running Northwesterly by Lot 14 on said plan, forty-four and nineteen hundredths (44.19) feet to a point;

Thence running North $47^{\circ} 33' 13''$ East by land of the Metropolitan Transit Authority, a distance of eleven and thirty-five hundredths (11.35) feet to a point;

Thence running South $75^{\circ} 44' 56''$ East by land of the Metropolitan Transit Authority, fifty-three and five hundredths (53.05) feet to the point of beginning.

Said above-described Parcel is shown as Lot 15 in Block 171A, on said Plan of the Boston Redevelopment Authority, dated March 24, 1958, and filed and recorded with said Order of Taking, above referred to.

There is excepted and reserved from said land above described a perpetual easement in said land for the benefit of said Metropolitan Transit Authority, its successors and assigns, for the right to enter at any time upon said land included in said easement for the purpose of inspecting said land and foundation and column thereon and to use, maintain, repair, replace, reconstruct said foundation and said column supporting Bent #535 of said elevated structure or viaduct, or any part of said elevated structure; said easement being bounded and described as follows:

EASEMENT (Lot 15)

Beginning at the point of beginning of the said First Parcel (Lot 15) as first above described;

Thence running Southwesterly by Lot No. 1 on said plan above referred to, a distance of two and nine-tenths (2.9) feet, more or less, to a point;

Thence running Northwesterly through Lot 15, a distance of three and nine-tenths (3.9) feet, more or less, to a point;

Thence running Northwesterly through Lot 15, a distance of forty-eight and seven-tenths (48.7) feet, more or less, said line being parallel to and a distance of five and no tenths (5.0) feet southerly from the southerly outer line of the concrete facia of the Metropolitan Transit Authority structure, to a point;

Thence running North $47^{\circ} 33' 13''$ East on the Northwesterly line of Lot 15 by land of the Metropolitan Transit Authority, nine-tenths (0.9) feet, to the Northeasterly line of Lot 15;

Thence running South $75^{\circ} 44' 56''$ East on the Northeasterly line of said Lot 15, by land of the Metropolitan Transit Authority, fifty-three and five hundredths (53.05) feet to the point of beginning.

SECOND PARCEL CONVEYED (Lot 16)

Beginning at the point of beginning of the First Parcel (Lot 15) as first above described;

Thence running South $73^{\circ} 19' 25''$ East on the Northerly line of the land designated as Lot 16, Block 171A, on said plan above referred to, by

land of the Metropolitan Transit Authority, sixty-six and seventy-five hundredths (66.75) feet to the Northwesternly line of Willard Street, as it formerly existed;

Thence running South $47^{\circ} 48' 33''$ West by said Northwesternly line of Willard Street, thirty-four and no hundredths (34.00) feet, to the Northeasterly line of Lot 1, on said plan;

Thence running Northwesternly by the Northeasterly line of Lot 1, fifty-seven and fourteen hundredths (57.14) feet, to the point of beginning.

The above-described Second Parcel is shown as Lot 16 on Block 171A, on Plan above referred to.

There is excepted and reserved from said land above described as the Second Parcel (Lot 16) two perpetual rights and easements in said land for the benefit of said Metropolitan Transit Authority, its successors and assigns, for the right to enter at any time upon said lands included in said easements for the purpose of inspecting said land and foundations and columns thereon and to use, maintain, repair, replace, reconstruct said foundations and said columns supporting Bents #535 and #534 or any part of said elevated structure thereon; said easements being bounded and described as follows:

FIRST EASEMENT (Lot 16)

Beginning at the point of beginning as first described in the First Parcel (Lot 15);

Thence running South $73^{\circ} 19' 25''$ East on the Northerly line of Lot 16, by land of the Metropolitan Transit Authority, eight and seven-tenths (8.7) feet, more or less, to a point;

Thence running Southwesterly through Lot 16, four and five-tenths (4.5) feet, more or less, to the Northeasterly line of Lot 1;

Thence running Northwesternly on said Northeasterly line of Lot 1, seven and four-tenths (7.4) feet, more or less, to the point of beginning.

SECOND EASEMENT (Lot 16)

Beginning at the stone monument on the Northwesterly line of Willard Street as it formerly existed at the intersection of the Northerly line of said Lot 16;

Thence running South $47^{\circ} 48' 33''$ West by said Northwesterly line of Willard Street, two and nine-tenths (2.9) feet, more or less, to a point;

Thence running Northwesterly through Lot 16, four and eight-tenths (4.8) feet, more or less, to a point on the Northerly line of said Lot 16;

Thence running South $73^{\circ} 19' 25''$ East on said Northerly line of said Lot 16, by land of the Metropolitan Transit Authority, five and six-tenths (5.6) feet, more or less, to the point of beginning.

This conveyance of Lot 15 (in part) and of Lot 16 is made subject to restrictions of record, if any, in so far as the same are now in force and applicable.

The above-described parcels of land hereby conveyed by the Metropolitan Transit Authority and the easements reserved by said Authority in said lands as conveyed are all shown on a plan of the Metropolitan Transit Authority numbered L-c-18153, dated December 1, 1960, to be recorded herewith.

No revenue stamps being required by law, none are affixed hereto.

For title of the Boston Elevated Railway Company to Parcels 15 and 16, reference may be made to Deed of Alfred V. Lincoln to said Boston Elevated Railway Company, dated February 8, 1907, recorded in Suffolk Registry of Deeds, February 12, 1907, in Book 3189, Page 577 - see Parcels 1, 3, 18 and 22 in said Deed.

Reference is also made to said Chapter 544 of the Acts of 1947, under which the Trustees of the Metropolitan Transit

Authority, duly appointed, qualified and acting under said Act, gave notice required by Section 5 of said Act to the Boston Elevated Railway Company that the Authority elected, as of August 29, 1947, at 12:00 o'clock noon, to exercise the option referred to in said Section 5; and, upon the said date and time specified in said notice, the whole assets, property and franchises of the Boston Elevated Railway Company as a going concern without further conveyance and by virtue of said Act became vested in the Grantor, subject to the obligations specified in said Section 5, said Chairman of said Board of Trustees at said date and time having tendered an amount in cash as required by said Section 5 to the Chairman of the Board of Directors of said Company and said Chairman of the Board of Directors having accepted said payment in accordance with a Vote of said Board of Directors of said Company authorizing him to do so, as appears in a certificate bearing his signature filed in the office of the Treasurer of the Authority.

IN WITNESS WHEREOF, the said Metropolitan Transit Authority has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Thomas J. McLernon, its General Manager, hereto duly authorized, this 3rd day of April, 1961.

Approved as to Form
Wells B. Donney
 General Counsel

METROPOLITAN TRANSIT AUTHORITY
 By

Thomas J. McLernon
 General Manager



THE COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss. April 3, 1961

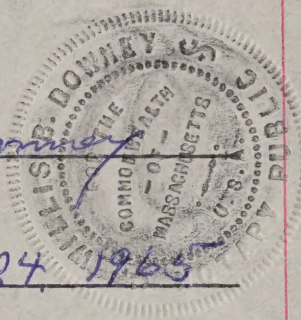
Then personally appeared the above-named Thomas J. McLernon and acknowledged the foregoing instrument to be the free

act and deed of the Metropolitan Transit Authority, before me,

William B. Donnelly

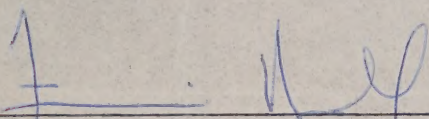
Notary Public

My Commission expires July 24, 1965



Accepted and assented to:

BOSTON REDEVELOPMENT AUTHORITY

By 
Rt. Rev. Msgr. Francis J. Lally
Chairman

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Metropolitan Transit Authority

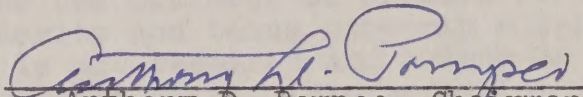
BOARD OF TRUSTEES

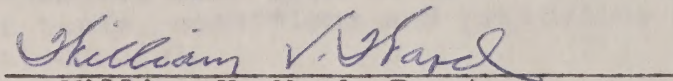
PARK SQUARE BUILDING

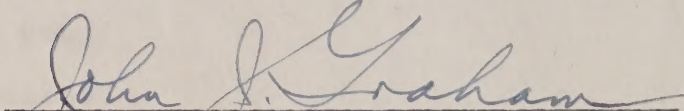
BOSTON 16, MASSACHUSETTS

We, Anthony D. Pompeo, Chairman, William V. Ward, and John J. Graham, being all the Trustees of the Metropolitan Transit Authority, acting under the provisions of Chapter 544 of the Acts of 1947, as amended, hereby certify that we have this day by Vote authorized the General Manager, in the name and on behalf of the Metropolitan Transit Authority, to sign, seal, acknowledge and deliver to the Boston Redevelopment Authority a deed of two triangular parcels of land abutting on land of said Boston Redevelopment Authority at the West End Project, so-called, with reservations of easements in said lands for the protection of the elevated railway structure located within said lands as conveyed, and as part consideration therefor a grant of easements in certain lands of the Boston Redevelopment Authority for the protection of said elevated structure, as described in a deed to the Metropolitan Transit Authority of even date, as shown on Metropolitan Transit Authority Plan No. L-e-18153, dated December 1, 1960; said parcels conveyed being shown as Lots 15 and 16 thereon; being, subject to the easements above-referred to, lands no longer needed for the business or affairs of the Metropolitan Transit Authority and being property which, in the opinion of the Trustees, is not required and cannot be used advantageously in the operation of the transportation system acquired by the Metropolitan Transit Authority under Chapter 544 of the Acts of 1947, as amended; such deed to be in such form and to contain such other terms, conditions and provisions as may be approved by General Counsel.

Witness our hands and the seal of the Metropolitan Transit Authority this Sixth day of February, 1961.


Anthony D. Pompeo, Chairman


William V. Ward, Trustee

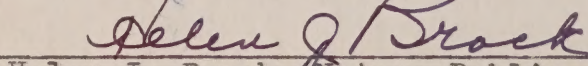

John J. Graham, Trustee

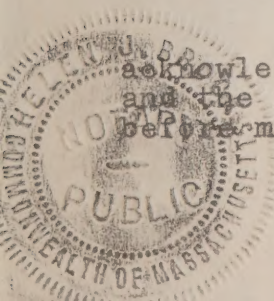
THE COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

February 6, 1961.

Then personally appeared the above-subscribed Trustees and acknowledged the foregoing to be their free act and deed as Trustees and the free act and deed of the Metropolitan Transit Authority, before me,


Helen J. Brock, Notary Public
My commission expires December 6, 1963.



Metropolitan Transit Authority

BOARD OF TRUSTEES

PARK SQUARE BUILDING

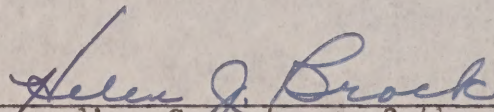
BOSTON 16, MASSACHUSETTS

I, Helen J. Brock, Recording Secretary of the Board of Trustees of the Metropolitan Transit Authority, hereby certify that at a Meeting of the Board of Trustees of the Metropolitan Transit Authority, acting under the provisions of Chapter 544 of the Acts of 1947, as amended, duly called and held on the Sixth day of February, 1961, at which all the members were present, the following Vote was adopted unanimously:

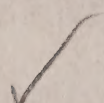
VOTED: That the General Manager be, and he hereby is, authorized, in the name and behalf of the Metropolitan Transit Authority, to sign, seal, acknowledge and deliver to the Boston Redevelopment Authority a deed of two triangular parcels of land abutting on land of said Boston Redevelopment Authority at the West End Project, so-called, with reservations of easements in said lands for the protection of the elevated railway structure located within said lands as conveyed, and as part consideration therefor a grant of easements in certain lands of the Boston Redevelopment Authority for the protection of said elevated structure, as described in a deed to the Metropolitan Transit Authority of even date, as shown on Metropolitan Transit Authority Plan No. L-e-18153, dated December 1, 1960; said parcels conveyed being shown as Lots 15 and 16 thereon; being, subject to the easements above-referred to, lands no longer needed for the business or affairs of the Metropolitan Transit Authority and being property which, in the opinion of the Trustees, is not required and cannot be used advantageously in the operation of the transportation system acquired by the Metropolitan Transit Authority under Chapter 544 of the Acts of 1947, as amended; such deed to be in such form and to contain such other terms, conditions and provisions as may be approved by General Counsel.

51 10 A true copy,

Attest:



Recording Secretary of the
Board of Trustees of the
Metropolitan Transit Authority



CERTIFICATE OF VOTE

The undersigned hereby certifies as follows:

(1) That he is the duly qualified and acting Secretary of the Boston Redevelopment Authority, hereinafter called the Authority, and the keeper of the records, including the journal of proceedings of the Authority.

(2) That the following vote is a true and correct copy of the vote as finally adopted at a meeting of the Authority held on the 12th day of April, 1961, and duly recorded in this office:

VOTED: (a) that the Authority accept from the MTA a deed conveying Parcels 171A-15 and 171A-16 in the West End Redevelopment area, in which deed the MTA reserves three small easements;

(b) that the deed as presented to the meeting be and hereby is approved;

(c) that the Chairman be and hereby is authorized to execute any document necessary to effectuate said conveyance.

(3) That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Authority voted in a proper manner and all other requirements and proceedings under law incident to the proper adoption or the passage of said vote have been duly fulfilled, carried out and otherwise observed.

(4) That the Deed to which this certificate is attached is in substantially the form as that presented to said meeting.

(5) That if an impression of the seal has been affixed below, it constitutes the official seal of the Boston Redevelopment Authority and this certificate is hereby executed under such official seal.

(6) That Monsignor Francis J. Lally is the Chairman of said Authority.

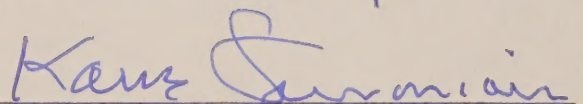
(7) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF the undersigned has hereunto set his hand this 12th day of April, 1961.

7551 11

BOSTON REDEVELOPMENT AUTHORITY

By



Kane Simonian
Secretary



April 18, 1961. At 10 o'clock & 17 mins. A.M.
Rec'd. Ent'd. & Exam'd. - 18